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 23 CONTRA COSTA WATER DISTRICT

24 UNITED STATES DISTRICT COURT
 25 FOR THE NORTHERN DISTRICT OF CALIFORNIA

26 CONTRA COSTA WATER DISTRICT,
 27 Plaintiff,
 28 v.
 29 HARTFORD UNDERWRITERS
 30 INSURANCE COMPANY; and Does 1
 31 through 10, inclusive,
 32 Defendants.

33 HARTFORD UNDERWRITERS
 34 INSURANCE COMPANY,
 35 Counterclaimant,
 36 v.
 37 CONTRA COSTA WATER DISTRICT,
 38 Counterdefendant

CASE NO. CV 09-0983 MMC

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE JULY 30, 2010
 FURTHER CASE MANAGEMENT
 CONFERENCE AND DATES FOR RULE
 26(A) INITIAL DISCLOSURES AND
 EXCHANGE OF DOCUMENTS**

**Courtroom: 7
 Judge: Hon. Maxine M. Chesney**

1 Per Northern District Local Rule 16-2(d) and (e), plaintiff and counterdefendant Contra
2 Costa Water District ("CCWD") and defendant and counterclaimant Hartford Underwriters
3 Insurance Company ("Hartford"), by and through their counsel of record, stipulate as follows:

4 **RECITALS**

5 Pursuant to a Stipulated Order dated June 11, 2010, the Court approved the parties'
6 agreement to participate in a further mediation session with Hon. Ronald M. Sabraw (Ret.) at
7 JAMS, on Friday, July 16, 2010, and scheduled a case management conference for July 30, 2010.
8 *See* Document No. 31. Since a prior case management conference on March 12, 2010, the parties
9 have continued to exchange information and documents to narrow the issues for mediation. As the
10 July 16 mediation date approached, however, the parties realized that it would be necessary to
11 exchange additional information to improve the prospects that the mediation session would be
12 productive. As such, the parties rescheduled the mediation session with Judge Sabraw to take place
13 on August 16, 2010. This date was the earliest feasible date, in light of the parties' efforts to
14 exchange information, and the conflicting calendars of Judge Sabraw, the parties' representatives,
15 and the parties' counsel.

16 At the March 12, 2010 case management conference, the Court advised the parties that, if
17 they needed more time to try to resolve this matter, they should submit a stipulation requesting a
18 continuance of the future case management conference. Although the parties do not wish in any
19 way to unnecessarily delay the litigation of this matter, they believe it is prudent to return to
20 mediation in an effort to settle their disputes before substantial resources are expended in making
21 Rule 26(a) initial disclosures, conducting other discovery, and otherwise preparing the case for
22 trial.

23 Therefore, in the interest of saving time, money, and the Court's resources, the parties
24 request that the July 30, 2010 case management conference be continued to September 10, 2010, or
25 a convenient date thereafter, that the case be stayed until that time, and that the parties' Rule 26(a)
26 disclosures and exchange of documents be postponed until after the date of the next case
27 management conference.

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ORDER

PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED THAT:

(1) The further case management conference scheduled for July 30, 2010, is continued to September 10, 2010;

(2) The parties shall submit a joint case management statement one week before the date of the further case management conference;

(3) All discovery and law and motion practice in this case shall be stayed until after the further case management conference, including the parties' Rule 26(a) initial written disclosures and exchange of documents.

DATED: July 20, 2010

/s/ Vaughn R Walker for

HON. MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE